

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Scot Kevin HUBER et al) Group Art Unit: 1626
Application No.:) Examiner: Robert W. Ramsuer
Filed: July 3, 2003) Confirmation No.:
For: CONTROL OF ARTHROPODS IN) Divisional of Appln. No. 10/342,203,
ANIMALS) filed January 15, 2003, now allowed
)
)

**FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
 The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
 A statement under 37 C.F.R. § 1.97(e) is also enclosed.
 A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
 Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
 A check in the amount of \$ _____ is enclosed for the fee due.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 3, 2003

By: Mary Katherine Baumeister
Mary Katherine Baumeister
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Sir:

In accordance with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants are filing herewith a Form PTO-1449 list of documents for consideration by the Examiner. With a sole exception noted in detail below, copies of the listed documents are not enclosed because these documents were previously made of record in parent Appln. No. 10/342,203, filed January 15, 2003, now allowed, of which the present application is a divisional, or in grandparent Appln. No. 09/590,069, filed June 9, 2000, now U.S. Patent No. 6,531,501 B1, or in great-grandparent Appln. No. 09/457,869, filed December 10, 1999, now U.S. Patent No. 6,160,002, of which Appln. No. 09/590,069 is a continuation-in-part. Under the provisions of 37 C.F.R. §1.98, copies of such references are not required to be filed herein. Also enclosed for the Examiner's convenience are copies of the International Search Report (ISR) and International Preliminary Examination Report (IPER) issued in connection with applicants' corresponding International Application. No. PCT/EP99/01452, both of which were previously provided in the parent and grandparent applications.

The listed documents are all in English except for EP 0659745, EP 0301338 and EP 0296381, all of which are in German. An English-language counterpart of EP 0659745, Stetter et al U.S. Patent No. 5,580,843, was provided in great-grandparent Application No. 09/457,869 to serve as an English translation. For EP 0301338, an English-language counterpart, Gehring et al U.S. Patent No. 4,863,937, was provided in grandparent Appln. No. 09/590,069 to serve as an English translation; an English abstract/patent family search was also provided therein. An English-language counterpart of EP 0296381, Jensen-Korte et al U.S. Patent No. 4,931,461, was provided in grandparent Appln. No. 09/590,069 to serve as an English translation, together with an English abstract and patent family search.

It is pointed out that Hatton et al U.S. Patent No. 5,232,940 corresponds in part to both EP 0295117 and WO 87/03781, and that Huang et al U.S. Patent No. 5,556,873 corresponds to EP 0811615 as well as to the Huang *Chemical Abstracts* citation.

Finally, it is pointed out that listed Huber et al U.S. Patent No. 6,160,002 and Huber et al U.S. Patent No. 6,531,501 B1 are not prior art but rather are simply the prior patents issued on applicants' grandparent and great-grandparent applications whose benefit is claimed under 35 U.S.C. §120. A copy of U.S. Patent No. 6,531,501 B1 is enclosed as it was not provided previously.

It is respectfully requested that the Examiner consider the documents cited by applicants and return an initialed copy of the enclosed Form PTO-1449 to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

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Alexandria, Virginia 22313-1404
(703) 836-6620

Date: July 3, 2003

Substitute for forms 1449A/PTO & 1449B/PTO		ATTORNEY'S DKT No. 022650-727	APPLICATION NO.
FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Scot Kevin HUBER et al	
		FILING DATE July 3, 2003	GROUP 1626

U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	5,232,940		Hatton et al	08/03/1993
	5,580,843		Stetter et al	12/03/1996
	5,556,873		Huang et al	09/17/1996
	4,863,937		Gehring et al	09/05/1989
	4,931,461		Jensen-Korte et al	06/05/1990
	5,814,652		Wu	09/29/1998
	6,160,002		Huber et al	12/12/2000
	6,531,501		Huber et al	03/11/2003

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
	0511845		EP	11/04/1992	
	87/03781		WO	07/02/1987	
	93/06089		WO	04/01/1993	
	94/21606		WO	09/29/1994	
	97/07102		WO	02/27/1997	
	98/24767		WO	06/11/1998	
	98/28277		WO	07/02/1998	

NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	DATABASE WPI AN 1998-196351, XP-002136814, abstract of JP 10 007509, published January 13, 1998.,
	Huang, <i>Chemical Abstracts</i> , Vol. 128, no. 111908 (abstract of JP 10 007509, 1-13-98), published by the American Chemical Society, Columbus, Ohio.

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Substitute for forms 1449A/PTO & 1449B/PTO		ATTORNEY'S DKT NO. 022650-727	APPLICATION NO.
FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Scot Kevin HUBER et al	
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U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
	98/28278		WO	07/02/1998	
	98/28279		WO	07/02/1998	
	0295117		EP	12/14/1988	
	0846686		EP	06/10/1998	
	0659745		EP	06/28/1995	1/
	97/22593		WO	06/26/1997	
	0811615		EP	12/10/1997	

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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^{1/} See English-language counterpart, Stetter et al U.S. Patent No. 5,580,843.

Substitute for forms 1449A/PTO & 1449B/PTO		SHEET 3 OF 3	
FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTORNEY'S DKT NO.	APPLICATION NO.	
	022650-727		
	APPLICANT		
	Scot Kevin HUBER et al		
FILING DATE	GROUP		
July 3, 2003	1626		

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

SEARCHED DOCUMENTS					
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
	0301338		EP	02/01/1989	<u>1</u> /
	0296381		EP	12/28/1988	<u>2</u> /
	98/40359		WO	09/17/1998	

NON PATENT LITERATURE DOCUMENTS

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature		Date Considered	
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^{1/} See English abstract and patent family search and English-language counterpart, Gehring et al U.S. Patent No. 4,863,937.

2/ See English abstract and patent family search and English-language counterpart, Jensen-Korte et al U.S. Patent No. 4,931,461.